

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: :  
Cynthia Muse : Bankruptcy No. 19-16129-pmm  
Debtor : Chapter 13

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Cynthia Muse :  
Plaintiff :  
v. : Adv. Proceeding No.  
United States Department of Housing : 24-00135-pmm  
and Urban Development c/o Novad :  
Consulting, LLC, :  
Defendant :

**STIPULATED ORDER DETERMINING THE EXTENT OF THE THIRD PLACE  
LIEN OF THE U.S. DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT**

Plaintiff, Cynthia Muse, (Debtor or Plaintiff) and Defendant, United States Department of Housing and Urban Development (Defendant or HUD), by and through undersigned counsel hereby consent to the entry of the following:

1. HUD has a valid Open-End mortgage, dated September 28, 2011, from the Debtor Cynthia Muse and assigned to creditor HUD on November 6, 2013, a lien on the Plaintiff's real property, commonly known as 3725 N. 15<sup>th</sup> Street, Philadelphia, PA 19140.
2. This referenced Open-End Mortgage in the Chapter 13 proceeding of the Debtor shall be abrogated and null and void if Debtor completes the Chapter 13 Plan and receives an Order of Discharge.

3. HUD shall have an allowed unsecured claim in the amount(s) listed on the attached Certificates of Indebtedness (\$17,308.94) and said claim shall be incorporated in the Debtors' Chapter 13 Plan. Exhibit A.
4. Upon successful completion of the Chapter 13 Plan and receipt of an Order of Discharge, the reference Open-End Mortgage shall be terminated and released.
5. In the event the Debtor/Plaintiff refinances the loans on the subject property or sells the subject property prior to the completion of the Chapter 13 Plan and receipt of a Chapter 13 discharge, the Mortgages will be paid in full at closing, unless a lesser amount is agreed to by the parties.
6. If Debtor fails to complete the Chapter 13 Plan and obtain a Chapter 13 discharge order in the above-captioned bankruptcy, this order does not affect the validity or enforceability of the Mortgages and may not be used in any subsequent bankruptcy case of the Debtor.
7. Upon completion of the Debtor's Chapter 13 Plan and the entry of a Chapter 13 discharge order, the Debtor may record a certified copy of this Order, with a copy of the Debtor's Chapter 13 discharge order attached in the property records of the county, which will constitute and effectuate the release and discharge of the Mortgages and liens.

Respectfully submitted,

*/s/ Mitchell Prince* \_\_\_\_\_  
Mitchell Prince, Esquire  
John L. McClain & Assoc.  
1851 C.R. 27  
Owls Head, NY 12969  
*Counsel for the Debtor*

*/s/ Anthony St. Joseph* \_\_\_\_\_  
Anthony St. Joseph  
Assistant United States Attorney  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106  
*Counsel for HUD*

Approved by the Court:

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HONORABLE PATRICIA M. MAYER  
*Judge, United States Bankruptcy Court*

DATED: \_\_\_\_\_